

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

RUSSELL WHISENANT,

Defendant.

CASE NO. 1:20-cr-00115

JUDGE DONALD NUGENT

DEFENDANT'S MOTION TO  
REOPEN DETENTION PROCEEDINGS  
AND PERMIT TEMPORARY  
RELEASE

Now comes Russell Whisenant, through counsel, and respectfully requests this Court reopen detention proceedings and order his release on bond as a temporary release, pursuant to 18 U.S.C. § 3142(f)(2) and § 3142(i)(4). The current COVID-19 pandemic presents “a change of circumstances” why Mr. Whisenant’s detention is no longer appropriate and Mr. Whisenant poses no risk of flight or danger to the community.

**I. Procedural History**

Mr. Whisenant was arrested in connection with the instant case on or about December 11, 2019. A complaint was filed in federal court on December 10, 2019. Dkt. 1. On December 17, 2019, Mr. Whisenant waived his right to a detention hearing, while reserving the right to “revisit the issue of detention at a later date should circumstances change.” Dkt. 4. An indictment was returned was February 12, 2020. Dkt. 12. Since then, the case has remained pending as the government has provided discovery and the parties have made attempts to resolve the case. Mr. Whisenant has remained in pretrial detention since December 11, 2019.

Did pose a risk of flight  
and presents a danger to himself  
and the community X  
 DENIED:  
IT IS SO ORDERED:  
 Donald E. Nugent 5/5/20  
 U.S. DISTRICT JUDGE